



In Re Application Of: Brian Roarty
Serial No. 10/797,255
Filed: 03/10/2004
For: Implementation....

Examiner: Christopher S. Kim
Group Art Unit: 3752
Date: Sept. 12, 2008

RESPONSE TO OFFICE COMMUNICATION

This is in response to the Office Communication dated 08/18/2008.

SPECIES ELECTION

Applicant had been under the impression that the claims are variations on a single embodied idea specifically identified in the abstract, Summary, and Detailed Description; and thus, pursuant to MPEP §806.03, should not be subject to restriction.

As the Examiner has carefully pointed out, an identification of an elected species is mandatory. Applicant apologizes for misreading the Restriction Election as requiring election of just one, single, species (as opposed to one species from each set).

Applicant elects, from the 'Nozzle' species, Species 1C, identified in Figure 3.

Applicant elects, from the 'Energy Adding Means' species, Species 2B, "inducing a low energy nuclear reaction within the nozzle".

Applicant respectfully requests the Examiner to examine the claims.

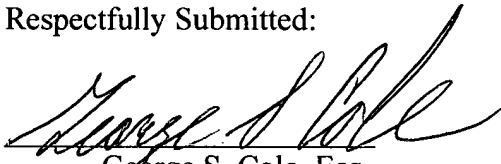
Applicant further identifies claims 3-23 as the claims encompassing the elected invention.

If the Examiner has any questions or wishes to discuss this matter he is urged to telephone the Applicant's attorney, George S. Cole, Esq., at (650) 322-7760; or send an e-mail to GSCdLawyer@aol.com.

A claims listing with the status and text of each claim, with the claims in ascending order, and a copy of Figure 3, is appended to this Response for the Examiner's convenience.

As so corrected, the Applicant believes that these claims are now all in presently allowable, correct, and proper form, and respectfully asks that the Examiner proceed to allow the application.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "George S. Cole", written over a horizontal line.

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